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May 2, 2008

Nur-Ul-Islam Academy 10600 SW 59<sup>th</sup> Street Cooper City, Florida 33328

Telephone: 954 434 3288 Fax: 954 434 9333 Email: [nurspirit@yahoo.com](mailto:nurspirit@yahoo.com)

BEN Site Identifier #: 16040800

SPIN #: 143004824:

**Letter of Appeal: Review of a USAC Decision Denial of Funding**

Marlene H. Dortch, Secretary

Federal Communications Commission: CC docket No. 96-45 CC docket No. 02-6

Office of the Secretary

445 12th Street, SW

Washington, DC 20554

Dear FCC Staff:

This is an appeal of 4/15/2008 USAC funding decision letter on our E-rate application identifying CONTRACT VIOLATION as the cause for denial of funding based on:

**2007 Form 470: 934390000619660, and Form 471: 564645 and FRNs.**

It is my understanding as a Novice applicant that the Bishop Perry Decision indicates administrative errors are forgivable and can be the basis for Reversal of the Decision, categorically denying all our funding. I urge you to please give consideration to the following administrative mistake::

I made the mistake of checking item 7a (Multi-Year Contract) on the Form 470 when I should have checked the item 7b indicating MONTH TO MONTH agreement effective

2006-2007 after the expiration of the first Multi-Year Contract 03-06 with Bellsouth

**Explanation:** Although the school posted RFP as required, an administrative decision was made to continue the business relationship with Bellsouth merged with AT&T in 2007. No contract was agreed upon, it was simply a verbal agreement made over the telephone for continuation of service on a month to month basis. To verify this I contacted the AT&T E-Rate SE Region Advisor, Harry Cook who confirmed via telephone 5/2/2008, just after 12 noon, my administrative error that there is no record of a new multi-year contract and we are on month to month plan, yet our service has continued uninterrupted since 2003. I respectfully request your earnest and urgent consideration to reverse your decision and grant our funding as requested. This would greatly assist this struggling small school.

Sincerely,

*Hadijah Eggleston*  
Hadijah Eggleston Grant Specialist & Ayesha Mack, Accounting AOR

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**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2007: 07/01/2007 - 06/30/2008)

April 15, 2008

AYESHA HACK  
NUR-UL-ISLAM ACADEMY  
10600 SW 59TH STREET  
COOPER CITY, FL 33328

Re: Form 471 Application Number: 564645 -  
Billed Entity Number (BEN): 16040800  
Billed Entity FCC RN: 0000000000  
Applicant's Form Identifier: FIRST471

*1624195 approved  
interfaced*

Thank you for your Funding Year 2007 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$16,819.78 is "Denied."

Please refer to the Report on the page following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 564645 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2007," AND
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence



and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, New Jersey 07981

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company



FUNDING COMMITMENT REPORT  
Billed Entity Name: NUR-UL-ISLAM ACADEMY  
BEN: 16040800  
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 564645  
Funding Request Number: 1592916  
Funding Status: Not Funded  
Category of Service: Internal Connections  
Form 470 Application Number: 934390000619660  
SPIN: 143004824  
Service Provider Name: BellSouth Telecommunications, Inc.  
Contract Number: N/A  
Billing Account Number: 95443432885251809  
Multiple Billing Account Numbers: N  
Service Start Date: 07/06/2007  
Service End Date: N/A  
Contract Award Date: 02/06/2007  
Contract Expiration Date: 07/06/2008  
Site Identifier: 16040800  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,295.00  
Pre-discount Amount: \$1,295.00  
Discount Percentage Approved by the USAC: 80%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: MR1: The Contract Award Date was changed from 06/30/2007 to 02/08/2007 to agree with the applicant documentation. <><><><><>  
MR2: The category of service was changed from Telecom Services to Internal Connections in accordance with program rules. <><><><><> MR3: This FRN 1592916 is for both Priority 1 and Priority 2 services and was split in order to conduct an independent review of these respective services. Your new FRNs for Priority 2 services is 1632046 and 1632048 and service provider is BellSouth Telecommunications. The product(s)/ service(s) remaining in this FRN are Network Equipment. <><><><><>  
MR4: The FRN was modified from \$28000 to \$1295 to agree with the applicant documentation. <><><><><> DR1: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.  
FCDL Date: 04/15/2008  
Wave Number: 046  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009



FUNDING COMMITMENT REPORT  
Billed Entity Name: NUR-UL-ISLAM ACADEMY  
BEN: 16040800  
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 564645  
Funding Request Number: 1593054  
Funding Status: Not Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 934390000619660  
SPIN: 143004824  
Service Provider Name: BellSouth Telecommunications, Inc.  
Contract Number: N/A  
Billing Account Number: 95443432885251809  
Multiple Billing Account Numbers: N  
Service Start Date: 07/06/2007  
Service End Date: N/A  
Contract Award Date: 06/30/2007  
Contract Expiration Date: 07/06/2008  
Site Identifier: 16040800  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$14,400.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$13,600.00  
Pre-discount Amount: \$28,000.00  
Discount Percentage Approved by the USAC: 80%  
Funding Commitment Decision: \$0.00 - CANCELED due to RAL request.  
Funding Commitment Decision Explanation: FRN canceled in accordance with a RAL request.

FCDL Date: 04/15/2008

Wave Number: 046

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009



FUNDING COMMITMENT REPORT

Billed Entity Name: NUR-UL-ISLAM ACADEMY  
BEN: 16040800  
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 564645

Funding Request Number: 1632046

Funding Status: Not Funded

Category of Service: Basic Maintenance of Internal Connection

Form 470 Application Number: 934390000619660

SPIN: 143004824

Service Provider Name: BellSouth Telecommunications, Inc.

Contract Number: N/A

Billing Account Number: N/A

Multiple Billing Account Numbers: N

Service Start Date: 07/06/2007

Service End Date: N/A

Contract Award Date: 02/08/2007

Contract Expiration Date: 07/06/2008

Site Identifier: 16040800

Number of Months Recurring Service Provided in Funding Year: 12

Annual Pre-discount Amount for Eligible Recurring Charges: \$3,000.00

Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$3,000.00

Discount Percentage Approved by the USAC: 80%

Funding Commitment Decision: \$0.00 - Contract Violation

Funding Commitment Decision Explanation: MR1: The Contract Award Date was changed from 08/26/2003 to 02/08/2007 to agree with the applicant documentation. <><><><>

MR2: This is a new FRN. It was split from FRN 1592916. This FRN contains the following product(s)/service(s): Basic Maintenance of Windows XP interface media convertor, Server/email KVM switch, Software operating system, Codec video encoder. <><><><> DR1: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 04/15/2008

Wave Number: 046

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

Who in BellSouth  
AT&T we dealt  
with?  
account manager  
404-829  
7304



FUNDING COMMITMENT REPORT  
Billed Entity Name: NUR-UL-ISLAM ACADEMY  
BEN: 16040800  
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 564645  
Funding Request Number: 1632047  
Funding Status: Not Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 934390000619660  
SPIN: 143004824  
Service Provider Name: BellSouth Telecommunications, Inc.  
Contract Number: N/A  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/06/2007  
Service End Date: N/A  
Contract Award Date: 02/08/2007  
Contract Expiration Date: 07/06/2008  
Site Identifier: 16040800  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,129.72  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$3,129.72  
Discount Percentage Approved by the USAC: 80%  
Funding Commitment Decision: \$0.00 - Contract Violation  
Funding Commitment Decision Explanation: MR1: The Contract Award Date was changed from 08/26/2003 to 02/08/2007 to agree with the applicant documentation. <><><><><>  
MR2: This is a new FRN. It was split from FRN 1592916. This FRN contains the following product(s)/service(s): Long Distance Service. <><><><><> MR3: The FRN was modified from \$14400 to \$3129.72 to agree with the applicant documentation.  
<><><><><> DR1: No contract was in place when the Form 471 certification was filed.  
FCDL Date: 04/15/2008  
Wave Number: 046  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009